

**OVERSIGHT BOARD OF THE
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

MINUTES

FEBRUARY 26, 2014

City of Imperial Beach Council Chambers

**825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

SPECIAL MEETING

1. CALL TO ORDER

SECRETARY/CITY CLERK HALD called the meeting to order at 10:31 a.m.

2. ROLL CALL BY CITY CLERK/SECRETARY

Oversight Board Members present: Yanda, Saadat, Hentschke, Foltz

Oversight Board Members absent: West

Chairperson absent: Winter

Staff present: Deputy Executive Director Wade, City Attorney Lyon, Special Counsel
Levan, Administrative Services Director Bradley, City Clerk/Secretary
Hald

SECRETARY/CITY CLERK HALD announced that due to the recent resignation of Vice Chairperson Fernandez and the absence of Chairperson Winter, the remainder of the Oversight Board needs to select an Acting Chairperson to handle today's meeting.

MOTION BY YANDA, SECOND BY FOLTZ TO SELECT BOARD MEMBER HENTSCHKE AS THE ACTING CHAIRPERSON FOR TODAY'S OVERSIGHT BOARD MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ

NOES: BOARD MEMBERS: NONE

ABSENT: BOARD MEMBERS: WEST, WINTER

3. PUBLIC COMMENTS

None.

4. REPORTS

A. APPROVAL OF MINUTES.

MOTION BY SAADAT, SECOND BY FOLTZ, TO APPROVE THE OVERSIGHT BOARD REGULAR MEETING MINUTES OF NOVEMBER 13, 2013. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ

NOES: BOARD MEMBERS: NONE

ABSENT: BOARD MEMBERS: WEST, WINTER

B. ADOPTION OF RESOLUTION NO. OB-14-30 APPROVING THE REALLOCATION AND USE OF FUNDS RECEIVED FROM THE REDEVELOPMENT PROPERTY TAX TRUST FUND IN THE AMOUNT OF \$756,916 TO BE EXPENDED ON ENFORCEABLE OBLIGATIONS APPROVED ON RECOGNIZED OBLIGATION PAYMENT SCHEDULES.

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE gave a PowerPoint presentation on the item.

In response to Board Member Saadat's question about the status of the Affordable Housing Litigation, SPECIAL COUNSEL LEVAN stated that the case is slowly moving through the process. On behalf of their clients, her office filed a motion to join the Department of Finance as a respondent to the action because of the relief that the Petitioner is trying to seek. She also stated that the hearing was last Friday and that the judge has yet to make a ruling on the issue. Additionally, the Petitioner has been conducting discovery and the clients are providing appropriate responsive documents.

MOTION BY SAADAT, SECOND BY FOLTZ, TO ADOPT RESOLUTION NO. OB-14-30 APPROVING THE REALLOCATION AND USE OF FUNDS RECEIVED FROM THE REDEVELOPMENT PROPERTY TAX TRUST FUND IN THE AMOUNT OF \$756,916 TO BE EXPENDED ON ENFORCEABLE OBLIGATIONS APPROVED ON RECOGNIZED OBLIGATION PAYMENT SCHEDULES. MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: WEST, WINTER**

C. ADOPTION OF RESOLUTION NO. OB-14-31 FINDING THAT THE LOAN TOTALING \$3,738,100 MADE BY THE CITY OF IMPERIAL BEACH TO THE FORMER IMPERIAL BEACH REDEVELOPMENT AGENCY WAS FOR LEGITIMATE REDEVELOPMENT PURPOSES, AND OTHER RELATED ACTIONS TAKEN IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34191.4(b).

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE reported on the item.

SPECIAL COUNSEL LEVAN stated that should the DOF approve this payment, 20% of what is paid back to the City is statutorily required to be transferred to the Low and Moderate Income Housing Asset Fund which is maintained by the Housing Authority for Imperial Beach to provide for low and moderate income housing.

DEPUTY EXECUTIVE DIRECTOR WADE spoke about the history of Redevelopment Agency funds being spent on redevelopment purposes/activities which were substantiated through financial audits.

MOTION BY FOLTZ, SECOND BY SAADAT, TO ADOPT RESOLUTION NO. OB-14-31 FINDING THAT THE LOAN TOTALING \$3,738,100 MADE BY THE CITY OF IMPERIAL BEACH TO THE FORMER IMPERIAL BEACH REDEVELOPMENT AGENCY WAS FOR LEGITIMATE REDEVELOPMENT PURPOSES, AND OTHER RELATED ACTIONS TAKEN IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34191.4(b). MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: WEST, WINTER**

D. ADOPTION OF RESOLUTION NO. OB-14-32 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 AND RELATED ACTIONS.

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE reported on the item.

MOTION BY FOLTZ, SECOND BY SAADAT, TO ADOPT RESOLUTION NO. OB-14-32 OF THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE ADMINISTRATIVE BUDGET FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 AND RELATED ACTIONS. MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: WEST, WINTER**

E. ADOPTION OF RESOLUTION NO. OB-14-33 OF THE OVERSIGHT BOARD TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 (ROPS 14-15A).

ACTING CHAIRPERSON HENTSCHKE introduced the item.

DEPUTY EXECUTIVE DIRECTOR WADE reported on the item and announced that an Item 38 was added to the Recognized Obligation Payment Schedule (ROPS). He noted that when the ROPS went before the Successor Agency last week, Assembly Bill 471 was pending approval by the Governor. The Bill would allow Successor Agency's to place administrative costs related to performing duties of the Housing Authority acting as the Housing Successor Entity. He noted that the Governor signed the bill and it is now law. He requested that the amount for Item 38 be reduced from \$150,000 to \$75,000 (the amount for six-months) with a corresponding change to the summary page.

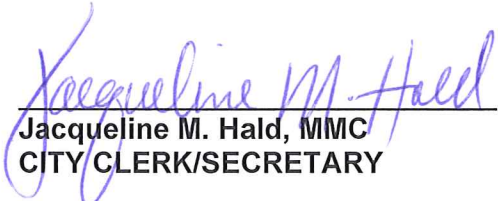
MOTION BY YANDA, SECOND BY FOLTZ, TO ADOPT RESOLUTION NO. OB-14-33 OF THE OVERSIGHT BOARD TO THE IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2014 THROUGH DECEMBER 31, 2014 (ROPS 14-15A) AS AMENDED BY STAFF. MOTION CARRIED BY THE FOLLOWING VOTE:

**AYES: BOARD MEMBERS: YANDA, SAADAT, HENTSCHKE, FOLTZ
NOES: BOARD MEMBERS: NONE
ABSENT: BOARD MEMBERS: WEST, WINTER**

DEPUTY EXECUTIVE DIRECTOR WADE introduced Doug Bradley, Administrative Services Director.

4. ADJOURNMENT

The meeting was adjourned at 11:37 a.m.


Jacqueline M. Hald, MMC
CITY CLERK/SECRETARY


Dan Hentschke
ACTING CHAIR PERSON